

the Federal Circuit under 35 U.S.C. 145 or Commencement of a civil action under 35 U.S.C. 146 and submission amends all rejected claims or shows facts (MPEP 706.07(h) (XI)(A)).

- ☒ Prior to the filing of such appeal or commencement of civil action  
☐ Such appeal or commencement of civil action has been terminated

### ENCLOSURES

3. Do not automatically enter any prior unentered amendment(s) if herewith as the required submission is/are:

- ☐ Request hereby to enter unentered amendment(s) of \_\_\_\_\_.
- ☐ An information disclosure statement (37 C.F.R. Section 1.98)  
☐ Form PTO-1449 (PTO/SB/08A and 08B)
- ☒ An amendment
- ☐ New arguments
- ☐ New evidence in support of patentability

**WARNING:** *If reply to a final or non-final Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of Section 1.111. 37 C.F.R. Section 1.114(b).*

- ☐ Other:

### FEE FOR REQUEST (37 C.F.R. Section 1.17(e)).

4. This application is on behalf of:

- ☐ Small entity (and status is still as small entity) \$ 395.00
- ☒ Other than a small entity \$ 790.00
- Continued Prosecution Request Fee \$ 790.00

### FEE FOR CLAIMS

**NOTE:** *"The fee for continued examination under Section 1.114 (Section 1.17(e)) does not include additional claim fees (cf. 1.53 (d)(3)(ii))." See Notice of March 10, 2000, 65 Fed Reg 14865, at 14868.*

5. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below:

(Col.1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN A SMALL ENTITY
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Addit. Rate Fee	Addit. Rate Fee
			OR	

Total	*	Minus	**	=	x \$25= \$		x \$50 = \$
Indep.	*	Minus	***	=	x \$100= \$		x \$200= \$
[ ] First Presentation of Multiple Dependent Claim					+ \$180 = \$		+ \$360 = \$

  

	Total		Total	
	Addit. Fee	\$	OR	Addit. Fee
		\$		\$

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3,  
 \*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".  
 \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".  
 The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**WARNING:** See 37 C.F.R. Section 1.116.

### EXTENSION OF TIME

*(If an extension of time is appropriate complete (a) or (b), as applicable)*

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

- (a) [ ] Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. Section 1.17(a)(1)-(4), for the total number of months checked below:

<u>Extension for</u> <u>(months)</u>	<u>Fee for other than</u> <u>small entity</u>	<u>Fee for</u> <u>small entity</u>
[ ] one month	\$ 120.00	\$ 60.00
[ ] two months	\$ 450.00	\$ 225.00
[x] three months	\$ 1,020.00	\$ 510.00
[ ] four months	\$ 1,590.00	\$ 795.00
Fee		\$ <u>1,020.00</u>

If an additional extension of time is required, please consider this a petition therefor.

*(check and complete the next item, if applicable)*

- [ ] An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

**OR**

- (b) [ ] Applicant believes that no extension of time is required. However, this is a

conditional petition and authorization to pay the necessary fees to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### TOTAL FEE(S) DUE

**WARNING:** The fee for continued examination under Section 1.114 may not be deferred. 37 C.F.R. Section 1.53(f).

**7. The total fee(s) due is/are:**

Continued Prosecution Fee (Section 1.17(e))	\$ <u>790.00</u>
Fee(s) for additional claims (if any) (Section 1.16(b)-(d))	\$ _____
Extension of time fee (if any) (Section 1.17(a)(1)-(4))	\$ <u>1,020.00</u>
Total Fee(s) Due:	\$ <u>1,810.00</u>

### PAYMENT OF FEE(S) DUE

**8. Please pay the fee(s) for this continued examination application as follows:**

<input checked="" type="checkbox"/> Check is attached for the sum of	\$ <u>1,810.00</u>
<input type="checkbox"/> Charge Account _____ the sum of	\$ _____

Please charge any required additional fee(s) for Section 1.17(e), Section 1.16(b)-(d) and/or Section 1.17(a)(1)-(4) or refund overpayment to

☒ Deposit Account 12-0425

### INVENTORSHIP

**NOTE:** Any change of inventors must be via the procedure set forth in 37 C.F.R. Section 1.48. See Notice of March 10, 2000, 65 Fed Reg 14865, at 14868.

**9. This application as amended names as inventors:**

- ☐ the same inventors as previously designated for the claims.
- ☐ fewer than the inventors previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not inventors of the invention now being claimed.
- ☐ a person not named previously as an inventor and a petition under 37 C.F.R. Section 1.48 is/has separately:
  - ☐ being filed
  - ☐ been filed

## DEFERRAL OF EXAMINATION

10.    ☐    A Request for Suspension of examination accompanies this request for continued examination. (*See, 9-68 or Petition for Suspension*)

  
SIGNATURE OF PRACTITIONER

Reg. No.: 33,778

Janet I. Cord

(*type or print name of practitioner*)

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\_\_\_\_\_  
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PATENT TRADEMARK OFFICE